

The Clark County Bar Association is pleased to announce its

Thirty Third Nuts and Bolts Lecture:

Dealing with Medicare in Personal Injury Cases

Presented by Attorney Tim Nay

Wednesday, November 13, 2013, 3:00 PM – 5:00 PM
Red Lion at the Quay

The cost is \$50 for CCBA members, \$70 for non-member attorneys, and \$25 for non-attorneys. This will get you 2 CLE credits and the speaker's prepared materials to download. There is an extra fee if you want to pick up the materials at the door.

→ *Eat. Drink. Learn.* ←

To register: Call the CCBA, (360) 695-5975, OR email:

CLE@ccbawashington.org, OR FAX this flyer back to the CCBA at (360) 737-6891

with your NAME _____

PHONE # _____, BAR NUMBER _____

and EMAIL ADDRESS _____

~ Payment can be mailed to 500 W. 8th Street, Ste 65, Vancouver, WA 98660 or via credit card over the phone ~



Tim Nay, M.S.W., J.D.

Tim has combined decades of clinical social work experience and legal expertise to develop an insightful, innovative and people-friendly approach to assisting his clients. He is licensed to practice law by the Oregon State Bar and the Washington State Bar Associations. Tim's special needs settlement practice frequently involves Medicare Secondary Payer compliance issues. He advises trial attorneys on MSP issues in Oregon and Washington.

He is the founding president of the National Academy of Elder Law Attorneys (NAELA), a Fellow of the Academy and winner of the 2007 NAELA President's Award. He is the past Chair of the NAELA Amicus Brief Committee, member of the NAELA Medicaid Task Force; founding member and past Chair of the Elder Law Section of the Oregon State Bar and past President of the Oregon Gerontological Association and the Alzheimer's Association of Oregon. Tim is the founding President of SAVO - Special Advocates for Vulnerable Oregonians.

An outline of this presentation appears on the next page.

Nuts & Bolts on Dealing with Medicare in Personal Injury Cases (Outline)

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- **Medicare Secondary Payer (MSP) Compliance Overview**
 - Why you need this CLE seminar
 - Effects of MSP compliance on resolution of injury cases
 - MSP reform efforts: past, present and future
- **Three Components of MSP Compliance: Conditional Payment Recovery, Medicare Set-Aside Arrangements, and Section 111 Reporting**
 - History of MSP statutes and sources of MSP authority
 - Conditional payment recovery and federal enforcement
 - MSP compliance problems
- **Minimizing Communication Choke Points Between Plaintiff, Defense, and the Centers for Medicare and Medicaid Services (CMS)**
 - CMS internet portals and resources
 - Tools and strategies for MSP compliance
 - Plaintiff and defense information sharing
 - Determining Medicare eligibility
- **Conditional Payment Recovery**
 - Workers' compensation, liability, PIP, Med Pay, FELA and Jones Act cases
 - Allocation of settlement proceeds between Medicare and injured party
 - Attorney fees and costs reduction rules
 - Noncompliance exposure concerns for the plaintiff, defense, and carrier
 - Administrative remedies and exhaustion doctrine
- **Medicare Set-Aside Arrangements**
 - Protocol and process of Medicare set-asides
 - MSA practice in workers' compensation, liability, FELA and Jones Act cases
 - Utilizing MSP compliance contractors